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Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by the Transnational Radical Party, a non-governmental organization in consultative status (Category I)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[26 July 1995]

Question of human rights and fundamental freedoms

1. The Transnational Radical Party is an international organization dedicated to the promotion of universal human rights and an international legal order through the development and reform of the United Nations along democratic lines. Among other objectives is support for the abolition of the death penalty and the establishment of a permanent criminal court.

2. The principle of non-violence and its source has connected our organization to the problems, struggles and aspirations of the oppressed all over the world. The non-violent struggle of the six million Tibetan people is one of them. During the past many years we have undertaken various activities to create global awareness about the human rights abuses taking place in Tibet.

3. The Tibetan people should be commended for carrying out a struggle based on the principle of non-violence, particularly when very few have followed this path to achieve their freedom. In this regard, it is appreciated that the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted resolution 1991/10 on the situation in Tibet on 23 August 1991. Particularly, when it has expressed grave concerns about the "threats to the survival of the religious, cultural and national identity of Tibetans".

4. Unfortunately, the systematic violations of human rights and fundamental freedoms in Tibet remains a never-ending phenomenon. The Chinese authorities continue to deny the Tibetans those rights that have been enshrined not only in their own "constitution" but also in the Universal Declaration of Human Rights. It is alarming that an increasing number of political detentions have taken place in Tibet over the past few years and that more than 10 Tibetan political prisoners have died while in custody or immediately after their release since 1987. Amnesty International has already identified 628 Tibetan political prisoners detained in Tibet at the end of 1994. The enforcement of the death penalty in Tibet remains another grave concern, particularly since it is used to suppress political opinion.

5. The report (E/CN.4/1995/91) of Mr. Abdelfattah Amor, the Special Rapporteur of the Commission on Human Rights on religious intolerance to the Commission at its fifty-first session pointed out that the religious sentiments and traditions of the Tibetan people have not been given enough attention by the United Nations. Although the Special Rapporteur visited Tibet for only two days, he was able to personally verify the situation and therefore make his recommendations that the ban on access to places of worship for former political prisoners be lifted by the Chinese authorities. The Rapporteur's call for legislation to secure the rights of everyone to practise their religion, including juveniles and members of the Communist Party and of other organizations, is another contribution towards ending the violations of religious freedom in Tibet. The Chinese authorities continue to interfere in the practice of Tibetan Buddhism, undertaking massive measures to suppress religious freedom in Tibet. The case of the new Panchen Lama who was recognized by the Dalai Lama on 14 May 1995 is one clear example.

6. The European Parliament, on 13 July 1995, following the initiative of the European Parliamentarians Marco Pannella, Pierre Pradier, Gianfranco Dell'Alba, Noel Mamer and Dominique Saint-Pierre (Transnational Radical Party Members - Group ARE), James Morehouse (Group PPR), and Adelaide Aglietta (Group Green), adopted a revolutionary resolution on Tibet. The resolution, that obviously the Transnational Radical Party supported, called on the institutions of the European Union, on the one hand, to support any move to settle the Sino-Tibetan problem by means of a political dialogue and on the Chinese Government and the Tibetan Government-in-exile, on the

other, to begin negotiations along those lines, and, in this context, furthermore, expressed its support for the efforts of the Dalai Lama to restore by peaceful means the cultural and religious freedom of the Tibetan people, as well as their political autonomy. The resolution adopted by the European Parliament, which for the first time took an official stand on the situation in Tibet, also expressed grave concerns about the disappearance of the six-year-old Panchen Lama by calling on the Chinese authorities to ensure that Gedhun Choekyi Nyima and his family be immediately released and allowed to return to their village.

7. During the past two months, the Chinese authorities have failed to provide any information about the well-being and whereabouts of the Panchen Lama, causing serious tensions in and outside Tibet. What the Chinese authorities are committing is a direct interference in a religious matter over which the Dalai Lama has prerogative authority, thus making the whole issue a political one.

8. If the civil and political rights of the Tibetan people have been violated, so have their economic, social and cultural rights. During the past 45 years Chinese propaganda of "economic development" in Tibet has only encouraged bringing millions of Chinese settlers to compete with the Tibetan people. The benefits of internationally aided projects, including those of the United Nations, are now said to have gone to Chinese settlers rather than the Tibetan people. World Food Programme project 3357 in the Lhasa River Valley is one example. Local people who have been living for generations in the project area were going to be forced to vacate their houses in order to accommodate Chinese settlers. The Sub-Commission reports on the human rights dimension of population transfer and the implantation of settlers are welcome and it is hoped that the final report will study the devastating situation in Tibet.

9. The Transnational Radical Party is of the opinion that countries who ratify United Nations conventions must ensure that the conventions are fully implemented. In this regard, we are concerned that a number of countries have implemented these conventions only in word. It is also most unfortunate that such countries repeatedly fail to submit their reports in due time, if at all. These issues should be given serious attention by the Sub-Commission and the Commission on Human Rights.

10. The People's Republic of China has ratified a number of United Nations conventions, including those on torture, women, the rights of the child and racial discrimination. However, the Chinese authorities have been systematically violating the above rights in Tibet over the period. Tibetan political prisoners, some as young as 12, have been detained, according to Amnesty International.

11. As for the rights of Tibetan women, cases of forced abortions and sterilizations in Tibet are now well documented. It is further alarming that the Chinese authorities instruct that "in order to reduce the population, use whatever means you must, but do it. With the support of the Party Central Committee, you should have nothing to fear". According to Amnesty International, Tibetan women constituted "the largest group of female political prisoners" detained by the Chinese authorities. Although China is

hosting the Fourth World Conference on Women, Beijing made sure that Tibetan women in exile are denied accreditation. This was clear from the substantive session of 1995 of the Economic and Social Council held recently at Geneva, at which the Council decided to deny accreditation to the Beijing conference to nine Tibetan or Tibet-related NGOs. The Tibetan Women's Organization in Switzerland whose accreditation was recommended by the Conference secretariat called this decision "discriminatory and political".

12. The Sub-Commission on Prevention of Discrimination and Protection of Minorities must pay serious attention to the deteriorating situation of human rights in Tibet and China. If the international community wishes to ensure that human rights and fundamental freedoms of the Tibetan people are protected, the Sub-Commission must discuss the situation in Tibet on its agenda. It should recommend, furthermore, the appointment of a special rapporteur to investigate the human rights situation in Tibet and China.

13. The Transnational Radical Party is trying to create the premises for a peaceful resolution to the Chinese-Tibetan question. A solution that would provide for the autonomy of Tibet can be found through the opening of a dialogue of mutual consensus which would put an end to the persistent violations of human rights occurring in Tibet. However, such solutions could result only from earnest negotiations and it is deplorable that the Chinese Government has given no positive response for the past 15 years. Furthermore, the Transnational Radical Party would like to propose an international massive "world Satyagraha" for peace and democracy in Tibet and in China. A Ghandian Satyagraha chosen with great prudence, following the principles of the Declaration of Human Rights and the relevant United Nations resolutions along the guidelines already introduced by the Dalai Lama himself.

14. In conclusion, the Transnational Radical Party once again joins with parliamentarians all over the world in their resolution urging the People's Republic of China to stop immediately all policies and practices which violate the human rights and fundamental freedoms of Tibetans, including, in particular, the population transfer and to begin decolonization in order to begin sustainable development of the entire area.